

## **In the Claims**

1. (currently amended) A delivery apparatus for performing a surgical procedure comprising:

a flexible catheter capable of assuming an angular configuration at a predetermined time during the surgical procedure, wherein the flexible catheter has an outer catheter and an inner catheter movably disposed in the outer catheter, the inner catheter adapted to bend within the outer catheter;

a penetration apparatus disposed within the inner catheter, the penetration apparatus further comprises a first end having a tip for creating an aperture, and a second end that is substantially free; ~~and~~

at least one fastener in communication with the penetration apparatus; and

a sealant material associated with at least a portion of the fastener.

2. (cancelled)

3. (original) The apparatus of Claim 1, wherein the tip of the penetration apparatus is a hollow core needle.

4. (cancelled)

5. (currently amended) The assembly of Claim 1 4, wherein the sealant material is an occluding substance.

6. (currently amended) The assembly of Claim 1 4, wherein the sealant material is a plug.

7. (currently amended) The assembly of Claim 1 4, wherein the sealant material is an absorbent material.

8. (previously presented) A delivery apparatus for performing a surgical procedure comprising:

a flexible catheter capable of assuming an angular configuration at a predetermined time during the surgical procedure, wherein the flexible catheter has an outer catheter and an inner catheter movably disposed in the outer catheter;

a penetration apparatus disposed within the inner catheter, the penetration apparatus further comprises a first end having a tip for creating an aperture, and a second end that is substantially free;

at least one fastener in communication with the penetration apparatus; and

a sealant material associated with at least a portion of the fastener.

9. (cancelled)

10. (original) The assembly of Claim 8, wherein the sealant material is an occluding substance.

11. (original) The assembly of Claim 8, wherein the sealant material is a plug.

12. (original) The assembly of Claim 8, wherein the sealant material is an absorbent material.

13. (previously presented) A delivery apparatus performing a surgical procedure comprising:

a flexible catheter capable of assuming an angular configuration at a predetermined time during the surgical procedure, wherein the flexible catheter has an outer catheter and an inner catheter movably disposed in the outer catheter;

a penetration apparatus disposed within the inner catheter, the penetration apparatus further comprises a first end with a tip for creating an aperture that is an open core needle and a second end that is substantially free;

at least one fastener disposed within the penetration apparatus; and

a sealant material associated with at least a portion of the fastener.

14. (cancelled)

15. (original) The assembly of Claim 13, wherein the sealant material is an occluding substance.

16. (original) The assembly of Claim 13, wherein the sealant material is a plug.

17. (original) The assembly of Claim 13, wherein the sealant material is an absorbent material.

18. (previously presented) A method for securing a prosthetic graft to a vessel at a surgical site, which comprises the steps of:

advancing a delivery apparatus to the surgical site;

activating the delivery apparatus to contact the surgical site;

advancing the delivery apparatus wherein the delivery apparatus creates an aperture at the surgical site; and

releasing a fastener to the surgical site to secure the prosthetic graft to the vessel, wherein at least one portion of the fastener further comprises a sealant material.

19. (currently amended) A delivery apparatus for performing a surgical procedure comprising:

a flexible catheter capable of assuming an angular configuration at a predetermined time during the surgical procedure;

a penetration apparatus having a solid core disposed within the catheter, the penetration apparatus further comprises a first end having a tip for creating an aperture, and a second end that is substantially free; and

at least one fastener in communication with the penetration apparatus; and

a sealant material associated with at least a portion of the fastener.